



Jason Jensen &lt;jasonajensen@gmail.com&gt;

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**REQUEST AND DEMAND FOR FINANCIAL RECORDS PERTAINING TO WSH**

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**Jason Jensen** <jasonajensen@gmail.com>

Fri, Oct 11, 2019 at 5:47 PM

To: "Samuel I. Zeskind" <SZeskind@wsh-law.com>, "Matthew H. Mandel" <MMandel@wsh-law.com>, Elizabeth Sewell <ESewell@cityofhomestead.com>, Liz Palau <LPalau@cityofhomestead.com>, Julissa Chavez <JChavez@cityofhomestead.com>, Monica Herrera <MHerrera@cityofhomestead.com>, PublicRecordsRequests <PublicRecordsRequests@flsenate.gov>, "Betta, Katherine" <BETTA.KATHERINE@flsenate.gov>, desantis.opengov@eog.myflorida.com, "Boney, Olivia" <Olivia.Boney@eog.myflorida.com>, DOS.GeneralCounsel@dos.myflorida.com  
Bcc: Eric McDonough <phd2b05@gmail.com>

You ALL have been **served**.

See the attached copies of this request sent by CERTIFIED MAIL via the UNITED STATES POSTAL SERVICE. PRODUCED/PRINTED and MAILED by LOB.com for a perfected level of legal service. And it wasn't without cost. So far the cost of enforcement of this request is very high, including \$66.99 to mail these record requests certified with tracking.

**TRACKING INFORMATION:**

ATTN: BRETT SCHNEIDER / PUBLIC RECORDS  
WEISS SEROTA HELFMAN COLE & BIERMAN,  
1200 N FEDERAL HWY STE 312  
BOCA RATON, FL 33432-2846  
UNITED STATES  
USPS Tracking Number: [92071902358909000002176547](#)

ATTN: JAMIE COLE / PUBLIC RECORDS  
WEISS SEROTA HELFMAN COLE & BIERMAN  
200 E BROWARD BLVD STE 1900  
FORT LAUDERDALE, FL 33301-1949  
UNITED STATES  
USPS Tracking Number: [92071902358909000002176530](#)

ATTN: M BIERMAN / PUBLIC RECORDS  
WEISS SEROTA HELFMAN COLE & BIERMAN  
2525 PONCE DE LEON BLVD STE 700  
CORAL GABLES, FL 33134-6045  
UNITED STATES  
USPS Tracking Number: [92071902358909000002176523](#)

CITY OF HOMESTEAD CITY HALL  
ATTN: E SEWELL/PUBLIC RECORDS CUST  
100 CIVIC CT  
HOMESTEAD, FL 33030-6024  
UNITED STATES  
USPS Tracking Number: [92071902358909000002176516](#)

ATTN: PUB REC,STE 302 THE CAPITOL  
FLORIDA SENATE, OFFICE OF GEN COUNSEL  
404 S MONROE ST  
TALLAHASSEE, FL 32399-6526  
UNITED STATES

USPS Tracking Number: [92071902358909000002176509](#)

FL DEPT OF STATE-OFFICE OF GEN COUNSEL  
ATTN: CARLOS A. REY, PUBLIC RECORDS  
500 S BRONOUGH ST  
TALLAHASSEE, FL 32399-6504  
UNITED STATES

USPS Tracking Number: [92071902358909000002176493](#)

EXECUTIVE OFFICE OF GOVERNOR  
OFFICE OF OPEN GOVERNMENT  
THE CAPITOL STE 209  
TALLAHASSEE, FL 32399-0001  
UNITED STATES

USPS Tracking Number: [92071902358909000002176486](#)

[Quoted text hidden]

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#### 7 attachments



**ltr\_539e5a3a9e02513d.pdf**  
421K



**ltr\_58721cddf25cc67e.pdf**  
416K



**ltr\_ae0f9b7ca6fdb5c7.pdf**  
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**ltr\_76697b30262ec896.pdf**  
421K



**ltr\_cdd117804ba41d21.pdf**  
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**ltr\_de9b711649fa0f26.pdf**  
419K

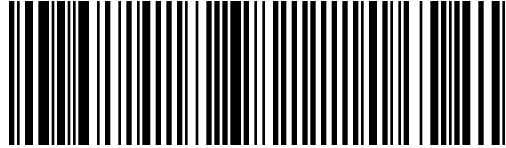


**ltr\_ed9c7a5f6b13f973.pdf**  
416K

JASON A JENSEN  
12912 KELLYWOOD CIR  
HUDSON, FL 34669-2793

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**USPS CERTIFIED MAIL**



ATTN: BRETT SCHNEIDER / PUBLIC RECORDS  
WEISS SEROTA HELFMAN COLE & BIERMAN,  
1200 N FEDERAL HWY STE 312  
BOCA RATON, FL 33432-2846

**9207 1902 3589 0900 0002 1765 47**

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Jason A Jensen  
12912 Kellywood Cir  
Hudson, FL 34669

Friday, October 11, 2019

Office of Open Government  
Executive Office of Governor Ron DeSantis  
The Capitol, Suite 209  
Tallahassee, FL 32399  
(850) 717-9248

Florida Department of State  
Office of the General Counsel  
Attn: Carlos A. Rey, Public Records Custodian  
500 S. Bronough Street  
Tallahassee, Florida 32399

The Florida Senate, Office of the General Counsel  
Attn: Public Records, Suite 302 The Capitol  
404 South Monroe Street  
Tallahassee, Florida 32399-1100

City of Homestead City Hall  
ATTN: Elizabeth Sewell / Public Records Custodian  
100 Civic Court  
Homestead, FL 33030

Weiss Serota Helfman Cole & Bierman, P.L.  
ATTN: Mitchell A. Bierman / Public Records Custodian  
2525 Ponce de Leon Blvd.  
Suite 700  
Coral Gables, FL 33134

Weiss Serota Helfman Cole & Bierman, P.L.  
ATTN: Jamie Cole / Public Records Custodian  
200 E. Broward Blvd.

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Suite 1900  
Fort Lauderdale, FL 33301

Weiss Serota Helfman Cole & Bierman, P.L.  
ATTN: Brett Schneider / Public Records Custodian  
1200 N. Federal Highway  
Suite 312  
Boca Raton, FL 33432

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## **REQUEST FOR SPECIAL ACCOMODATIONS UNDER TITLE II OF THE AMERICANS WITH DISABILITIES ACT**

Every recipient, by nature of construction as a State created entity or by contract with the same, of this letter is subject to Special Accommodations Requests pursuant to Title II of the Americans with Disabilities Act. I hereby request such accommodations in the response and handling of this request. I am disabled and collect Social Security for such a disability. In aide of my Disability, I have found it best for me to live in a Mobile Home. As such I do not actually have a recipient Mailing Address that functions. Therefore, Please direct all correspondence, responses, requests for information, or any other reply or communication to my electronic mailing addresses: jasonajensen@gmail.com and jasonajensen@protonmail.com .

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REGARDING: PUBLIC RECORDS REQUEST UNDER FLORIDA STATUTES CHAPTER 119 AND THE SELF  
EXECUTING PROVISIONS OF SECTION 24 OF THE FLORIDA CONSTITUTION

To Whom it May Concern,

Pursuant to the Florida Constitution, Florida Government Records are subject to disclosure, as a matter of constitutional right, to any member of the public upon request. For many months now I have been trying to answer one simple question, which is wholly contained in public records, but have been sealed, obstructed, and otherwise denied to me. And that question is:

**How much money does Weiss Serota Helfman Cole & Bierman, P.L. (hereafter "WSH") make or charge per annum, or fiscal year, or otherwise in a 12-month period off of the citizens/electorate of Florida?**

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However, despite the Florida Constitution expressly stating that I have a Right to such information, I have been unable to obtain the information I seek. WSH's policy is that of one it believes is reflected within Fl.Stat. 119.0701 which states the records must be requested from the Agency directly. Specifically, 3(a) states "A request to inspect or copy public records relating to a public agency's contract for services must be made directly to the public agency."

But the Florida Constitution Section 24 states "Every person has the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee of the state, **or persons acting on their behalf.**"

Section 119.0701 seems to be directed at obstructing gaining access to "collections" of agency public records such as those contain in the custody of WSH. According to WSH, to receive all the records in their possession that I wish to copy and/or inspect, I must contact every agency that they have a contract with, which I cannot obtain a list of, and request those records from that agency. So the logical conclusion, to be 100% thorough and obtain the complete set of public records, all within WSH's possession, I must request the records from every state agency or political subdivision – of which there is also not a list nor is there a uniform method or technology to do so.

So, I have propounded the legal theory that any Florida Government Agency that has supervisory control of the various political subdivisions can request that information on behalf of all the State Agencies. To this end, I have requested these public records from the Governor of Florida, The Florida Senate, The Department of State for Florida, and the City of Homestead (of which it is known to me that WSH has a contract related to my request). I have also attached, copied, and forwarded the request for records to WSH, a Professional Liability Company with the specific field of Professional Attorney's at Law, all of which are ethically bound to follow the law in any professional capacity, of which Public Records are required to be part of the contract by law, and the clear and obvious intent of the collection of laws known as "Public Records Access" or "Freedom of Information Requests" is quite clear.

All these efforts have led to no fruit. I still do not have the records I seek and it is impossible for me to get them. This letter hereby serves as notice under Florida Statutes 119.12(b) for the pending legal action that seems necessary at this point. You have five days from receipt of this letter to comply, which will be printed/produced by Lob.com and mailed to each recipient above CERTIFIED MAIL provided by the United States Postal Service with Electronic Tracking for Delivery, amounting to legal and official service. Remember if you do not have these records, Florida Statutes 119.0701(3)a requires you to immediately request the records from WSH. Specifically, 119.0701(3)a states "If the public agency does not possess the requested records, the public agency shall immediately notify the contractor of the request, and the contractor must provide the records to the public agency or allow the records to be inspected or copied within a reasonable time."

## **RECORDS REQUEST AND DEMAND**

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I, hereby, request and demand all public records pertaining to the summary balance sheets produced by WSH, for each fiscal year as required by accounting customs, laws, and due diligence/prudence, showing all the money collected for any Florida State Agency, Political Subdivision, Officer, or any other legal entity or person subjected to such a request under Section 24 of the Florida Constitution and Florida Statutes Chapter 119.

I make this request pursuant to Chapter 119 of the Florida Statutes. I duplicate this request under the Self Executing Section 24 of the Florida Constitution.

Sincerely and Respectfully,

/s/JasonAJensen

Jason A Jensen

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(a) Every person has the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee of the state, or persons acting on their behalf, except with respect to records exempted pursuant to this section or specifically made confidential by this Constitution. This section specifically includes the legislative, executive, and judicial branches of government and each agency or department created thereunder; counties, municipalities, and districts; and each constitutional officer, board, and commission, or entity created pursuant to law or this Constitution.

(b) All meetings of any collegial public body of the executive branch of state government or of any collegial public body of a county, municipality, school district, or special district, at which official acts are to be taken or at which public business of such body is to be transacted or discussed, shall be open and noticed to the public and meetings of the legislature shall be open and noticed as provided in Article III, Section 4(e), except with respect to meetings exempted pursuant to this section or specifically closed by this Constitution.

(c) This section shall be self-executing. The legislature, however, may provide by general law passed by a two-thirds vote of each house for the exemption of records from the requirements of subsection (a) and the exemption of meetings from the requirements of subsection (b), provided that such law shall state with specificity the public necessity justifying the exemption and shall be no broader than necessary to accomplish the stated purpose of the law. The legislature shall enact laws governing the enforcement of this section, including the maintenance, control, destruction, disposal, and disposition of records made public by this section, except that each house of the legislature may adopt rules governing the enforcement of this section in relation to records of the legislative branch. Laws enacted pursuant to this subsection shall contain only exemptions from the requirements of subsections (a) or (b) and provisions governing the enforcement of this section, and shall relate to one subject.

(d) All laws that are in effect on July 1, 1993 that limit public access to records or meetings shall remain in force, and such laws apply to records of the legislative and judicial branches, until they are repealed. Rules of court that are in effect on the date of adoption of this section that limit access to records shall remain in effect until they are repealed.

**History.**—Added, C.S. for C.S. for H.J.R.'s 1727, 863, 2035, 1992; adopted 1992; Am. S.J.R. 1284, 2002; adopted 2002.



**119.0701 Contracts; public records; request for contractor records; civil action.—**

(1) DEFINITIONS.—For purposes of this section, the term:

(a) “Contractor” means an individual, partnership, corporation, or business entity that enters into a contract for services with a public agency and is acting on behalf of the public agency as provided under s. 119.011(2).

(b) “Public agency” means a state, county, district, authority, or municipal officer, or department, division, board, bureau, commission, or other separate unit of government created or established by law.

(2) CONTRACT REQUIREMENTS.—In addition to other contract requirements provided by law, each public agency contract for services entered into or amended on or after July 1, 2016, must include:

(a) The following statement, in substantially the following form, identifying the contact information of the public agency’s custodian of public records in at least 14-point boldfaced type:

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR’S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT (telephone number, e-mail address, and mailing address).

(b) A provision that requires the contractor to comply with public records laws, specifically to:

1. Keep and maintain public records required by the public agency to perform the service.
2. Upon request from the public agency’s custodian of public records, provide the public agency with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.
3. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the contractor does not transfer the records to the public agency.
4. Upon completion of the contract, transfer, at no cost, to the public agency all public records in possession of the contractor or keep and maintain public records required by the public agency to perform the service. If the contractor transfers all public records to the public agency upon completion of the contract, the contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the contractor keeps and maintains public records upon completion of the contract, the contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the public agency, upon request from the public agency’s custodian of public records, in a format that is compatible with the information technology systems of the public agency.

(3) REQUEST FOR RECORDS; NONCOMPLIANCE.—

(a) A request to inspect or copy public records relating to a public agency’s contract for services must be made directly to the public agency. If the public agency does not possess the requested records, the public agency shall immediately notify the contractor of the request, and the contractor must provide the records to the public agency or allow the records to be inspected or copied within a reasonable time.

(b) If a contractor does not comply with the public agency’s request for records, the public agency shall enforce the contract provisions in accordance with the contract.

(c) A contractor who fails to provide the public records to the public agency within a reasonable time may be subject to penalties under s. 119.10.

(4) CIVIL ACTION.—

(a) If a civil action is filed against a contractor to compel production of public records relating to a public agency’s contract for services, the court shall assess and award against the contractor the reasonable costs of enforcement, including reasonable attorney fees, if:

1. The court determines that the contractor unlawfully refused to comply with the public records request within a reasonable time; and
2. At least 8 business days before filing the action, the plaintiff provided written notice of the public records request, including a statement that the contractor has not complied with the request, to the public agency and to the contractor.

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(c) A contractor who complies with a public records request within 8 business days after the notice is sent is not liable for the reasonable costs of enforcement.

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Jason Jensen &lt;jasonajensen@gmail.com&gt;

## REQUEST AND DEMAND FOR FINANCIAL RECORDS PERTAINING TO WSH

Jason Jensen &lt;jasonajensen@gmail.com&gt;

Fri, Oct 11, 2019 at 2:22 PM

To: "Samuel I. Zeskind" <SZeskind@wsh-law.com>, "Matthew H. Mandel" <MMandel@wsh-law.com>, Elizabeth Sewell <ESewell@cityofhomestead.com>, Liz Palau <LPalau@cityofhomestead.com>, Julissa Chavez <JChavez@cityofhomestead.com>, Monica Herrera <MHerrera@cityofhomestead.com>, PublicRecordsRequests <PublicRecordsRequests@flsenate.gov>, "Betta, Katherine" <BETTA.KATHERINE@flsenate.gov>, desantis.opengov@eog.myflorida.com, "Boney, Olivia" <Olivia.Boney@eog.myflorida.com>, DOS.GeneralCounsel@dos.myflorida.com

This records request is made pursuant to Chapter 119 of the Florida Statutes enacted by Section 24 of the Florida Constitution. This request is also made pursuant to the SELF EXECUTING provisions of Section 24 see "(c) This section shall be self-executing." Which in plain english means this records request stands valid with the lawful force of the Florida Constitution itself.

On April 6th, 2018, over a year ago, I requested Records directly from "Weiss Serota Helfman Cole & Bierman, P.L." (hereafter "WSH") via an email with Samuel Zeskind of that same Professional Liability Corporation/Partnership. He stated that under Florida Statutes 119.0701 that request had to come from each agency WSH contracts with. See attachment SamuelZeskind-WSH.pdf.

The pertinent part of 119.0701 is:

*(3) REQUEST FOR RECORDS; NONCOMPLIANCE.—*

*(a) A request to inspect or copy public records relating to a public agency's contract for services must be made directly to the public agency. If the public agency does not possess the requested records, the public agency shall immediately notify the contractor of the request, and the contractor must provide the records to the public agency or allow the records to be inspected or copied within a reasonable time.*

However, 119.0701 is in direct conflict of the Florida Constitution which says "Every person has the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee of the state, **or persons acting on their behalf**". Nor does Section 24 give the senate power to pass laws pertaining to the method of access - it only allows exceptions to access to be duly passed with conditions.

But 119.0701 seeks to frustrate until denial of that access. WSH's customer list of public agencies is, at the moment, private. So instead of being able to request all the records I want directly from the custodian of those records, namely, in this case, WSH in which WSH has possession of all these records. An officer of WSH has said that I basically must request records from every agency in Florida to request if they have a contract with WSH and then Request the financial year's payment outlay's to WSH in performance of government functions. To increasingly frustrate my access to these records, there is no database of State agencies and/or political subdivisions, there is no uniform method of requesting those records, in fact, not even the technology is uniform, some agencies accept email, others do not, some accept faxes, others do not, some accept other methods like a website, others do not.

So for over 1 year I have been attempting to get these records with WSH not complying with the request. In this case, WSH has all the records I need and I have copied them on the request making the request to WSH from the government body IMPLICIT. To this all the government agency has to do is hit reply and request the records from WSH, but that same government body insists that it does not have the authority to request such records as 119.0701 requires of the government body. To this, I have made the request to the City of Homestead, the Florida Senate, the Governor of the State of Florida, and the Department of State for Florida. All this effort has been without fruit.

I hereby request from the Senate, Governor, Department of State, the City of Homestead, in combination and at the same time with this email, which WSH has been EXPLICITLY notified of my request by being attached as a recipient:

ALL SUMMARY FINANCIAL RECORDS SHOWING THE SUMMATION OF GOVERNMENT FUNDS TRANSFERRED TO WSH FOR PAYMENTS OF GOODS, SERVICES, OR CONTRACTS.

To clarify, I am looking to find out how much money WSH makes of the State of Florida and its people, for services rendered.

Thank you,

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Jason A Jensen  
12912 Kellywood Cir  
Hudson, FL 34669

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**6 attachments****FloridaConstitutionRecordsAccessRights.pdf**

21K

**DepartmentOfState.pdf**

22K

**FloridaSenate.pdf**

67K

**FIStat119-0701.pdf**

27K

**Governor.pdf**

60K

**SamuelZeskind-WSH.pdf**

60K

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Jason Jensen &lt;jasonajensen@gmail.com&gt;

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**PUBLIC RECORDS REQUEST AND NOTICE OF DEFAULT**2 messages

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**Jason Jensen** <jasonajensen@gmail.com>

Tue, Jan 15, 2019 at 2:09 PM

To: DOS.GeneralCounsel@dos.myflorida.com, "Samuel I. Zeskind" &lt;SZeskind@wsh-law.com&gt;, Eric McDonough &lt;phd2b05@gmail.com&gt;

Dear Florida Department of State,

I am requesting from you all RECORDS from the State of Florida AND ITS POLITICAL SUBDIVISIONS - including, state, county, city, and/or any other type of publicly funded or chartered entity - for any and all Bills charge to it from the law firm commonly referred to as WSH but legally known as Weiss Serota Helfman Cole & Bierman, P.L.

A bit of background, WSH makes it a habit of offering their services to aid in the political subdivisions of Florida to obfuscate, obstruct, and otherwise not comply with FSS 119 and the Florida Constitution.

I have repeatedly requested this information from WSH but they are hiding behind a contractor provision of the FSS 119 chapter. WSH has proposed the theory that I must send a records request to every agency in Florida to get this information, I now present another theory. However, since the State maintains legal authority of all its political subdivisions - I am requesting the same information from the State of Florida.

I am hereby ORDERING the State of Florida to pass this request - EXACTLY AS IT IS PRESENTED - to its proxy power contracted entity.

Failure to comply will result in legal action. I want these records - and I want them NOW. I am done playing with WSH or its high priced lawyers.

The Department of the State of Florida does have a constitutional mandate to assist and enforce its provisions here.

Please provide all records in ELECTRONIC FORM.

Jason A Jensen  
417-239-9460  
jasonajensen@gmail.com

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**Jason Jensen** <jasonajensen@gmail.com>

Tue, Jan 29, 2019 at 10:04 AM

To: DOS.GeneralCounsel@dos.myflorida.com, "Samuel I. Zeskind" &lt;szeskind@wsh-law.com&gt;, Eric McDonough &lt;phd2b05@gmail.com&gt;

The Department of State had failed to acknowledge receipt of my records request.

In fact, you haven't responded at all..

If you are looking how not to comply with records requests you should hire WSH.. they have lots of ideas on how you can obstruct.

[Quoted text hidden]

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Jason Jensen &lt;jasonajensen@gmail.com&gt;

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**Records Request and Demand of Production**

4 messages

**Jason Jensen** <jasonajensen@gmail.com>

Tue, Jan 29, 2019 at 9:35 AM

To: publicrecordsrequests@flsenate.gov, "Samuel I. Zeskind" &lt;szeskind@wsh-law.com&gt;, "Matthew H. Mandel" &lt;MMandel@wsh-law.com&gt;, Eric McDonough &lt;phd2b05@gmail.com&gt;

Dear Florida Senate:

I am currently trying to extract a public record set in the possession of the Law Firm known as Weiss Serota Helfman Cole & Bierman, P.L. ("WSH")

As you may or may not know, since WSH had lobbied for changes to chapter 119 of the Florida statutes, WSH repents an undefined number of public entities, subject to the Florida Records Laws, with their professional legal services.

The records I am requesting are those that show all the public clients WSH has or have had in the past.

WSH, through Samuel Zeskind, has stated that to receive the records that only they could possess, I must query and poll every public organization in Florida. This is obviously prohibitive and very complicated to do for me when they have all the records I need in a simple report.

They are hiding behind a section of 119 that the Senate passed that says I must request records from the agency.

I am going to challenge the constitutionality of that when the Florida Senate, Governor, and Department of State refuse to provide these records.

So either the Senate can forward this request and request the records from WSH responsive to my request from WSH, which is the Senate's duty now. The Senate had supervisory control of all the political subdivisions of Florida. So this request is appropriate to the Senate and WSH must respond.

Either that or the State Department, Governor, Senate, and indeed WSH will be sure for denial of access.

First you will get this email, then you will get a certified letter sent by lob.com starting your deficiency, and 30 days later you will receive a judicial summons.

I have been street these records for over 2 years and I am tied of WSH obstructing.

Jason A Jensen

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**PublicRecordsRequests** <PublicRecordsRequests@flsenate.gov>

Tue, Jan 29, 2019 at 10:40 AM

To: Jason Jensen &lt;jasonajensen@gmail.com&gt;, "Samuel I. Zeskind" &lt;szeskind@wsh-law.com&gt;, "Matthew H. Mandel"

&lt;MMandel@wsh-law.com&gt;, Eric McDonough &lt;phd2b05@gmail.com&gt;

Cc: "Betta, Katherine" &lt;BETTA.KATHERINE@flsenate.gov&gt;

Dear Mr. Jensen:

The Florida Senate has no authority to request records from another entity.

To assist you in your request, we are only able to search our Senate records that include search terms: "**Weiss Serota Helfman Cole & Bierman, P.L.**"; and "**WSH**".

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Please let us know how you would like to proceed.

Sincerely,

Michelle

*Michelle Perez*

*Public Records Manager*

**Office of the Senate General Counsel**

302 The Capitol

404 South Monroe Street

Tallahassee, FL 32399-1100

Phone: (850) 487-5237

Fax: (850) 487-6444

[Quoted text hidden]

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**Jason Jensen** <jasonajensen@gmail.com>

Tue, Jan 29, 2019 at 11:43 AM

To: PublicRecordsRequests@flsenate.gov

Cc: "Samuel I. Zeskind" <szeskind@wsh-law.com>, "Matthew H. Mandel" <MMandel@wsh-law.com>, Eric McDonough <phd2b05@gmail.com>, "Betta, Katherine" <BETTA.KATHERINE@flsenate.gov>

That is not true, the law you enacted requires me to use a public entity to request public records from contractors.

[Quoted text hidden]

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**Jason Jensen** <jasonajensen@gmail.com>

Fri, Feb 8, 2019 at 9:07 PM

To: PublicRecordsRequests@flsenate.gov

Cc: "Samuel I. Zeskind" <szeskind@wsh-law.com>, "Matthew H. Mandel" <MMandel@wsh-law.com>, Eric McDonough <phd2b05@gmail.com>, "Betta, Katherine" <BETTA.KATHERINE@flsenate.gov>

I haven't heard anything about this in a few weeks.

I think it comical that you are the body who possess laws, so you passed the below law, which requires me to request records from the public agency- in violation of my rights under the Florida Constitution. Then you have the gal to tell me you have no authority to request records?

Good luck with that.. the record law directly requires the legislative to comply.

What is the status of my request that your forward my records request to the state contractor WSH?

Do you need their address? They are included in this email chain. It seems quite apparent you are refusing my access to these records.

Here is the law that gives me the right to access these records that WSH is refusing:

**119.0701 Contracts; public records; request for contractor records; civil action.—**

(1) DEFINITIONS.—For purposes of this section, the term:

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(a) "Contractor" means an individual, partnership, corporation, or business entity that enters into a contract for services with a public agency and is acting on behalf of the public agency as provided under s. 119.011(2).

(b) "Public agency" means a state, county, district, authority, or municipal officer, or department, division, board, bureau, commission, or other separate unit of government created or established by law.

(2) CONTRACT REQUIREMENTS.—In addition to other contract requirements provided by law, each public agency contract for services entered into or amended on or after July 1, 2016, must include:

(a) The following statement, in substantially the following form, identifying the contact information of the public agency's custodian of public records in at least 14-point boldfaced type:

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT (telephone number, e-mail address, and mailing address) .

(b) A provision that requires the contractor to comply with public records laws, specifically to:

1. Keep and maintain public records required by the public agency to perform the service.
2. Upon request from the public agency's custodian of public records, provide the public agency with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.
3. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the contractor does not transfer the records to the public agency.
4. Upon completion of the contract, transfer, at no cost, to the public agency all public records in possession of the contractor or keep and maintain public records required by the public agency to perform the service. If the contractor transfers all public records to the public agency upon completion of the contract, the contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the contractor keeps and maintains public records upon completion of the contract, the contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the public agency, upon request from the public agency's custodian of public records, in a format that is compatible with the information technology systems of the public agency.

(3) REQUEST FOR RECORDS; NONCOMPLIANCE.—

(a) A request to inspect or copy public records relating to a public agency's contract for services must be made directly to the public agency. If the public agency does not possess the requested records, the public agency shall immediately notify the contractor of the request, and the contractor must provide the records to the public agency or allow the records to be inspected or copied within a reasonable time.

(b) If a contractor does not comply with the public agency's request for records, the public agency shall enforce the contract provisions in accordance with the contract.

(c) A contractor who fails to provide the public records to the public agency within a reasonable time may be subject to penalties under s. 119.10.

(4) CIVIL ACTION.—

(a) If a civil action is filed against a contractor to compel production of public records relating to a public agency's contract for services, the court shall assess and award against the contractor the reasonable costs of enforcement, including reasonable attorney fees, if:

1. The court determines that the contractor unlawfully refused to comply with the public records request within a reasonable time; and
2. At least 8 business days before filing the action, the plaintiff provided written notice of the public records request, including a statement that the contractor has not complied with the request, to the public agency and to the contractor.

(b) A notice complies with subparagraph (a)2. if it is sent to the public agency's custodian of public records and to the contractor at the contractor's address listed on its contract with the public agency or to the contractor's registered

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agent. Such notices must be sent by common carrier delivery service or by registered, Global Express Guaranteed, or certified mail, with postage or shipping paid by the sender and with evidence of delivery, which may be in an electronic format.

(c) A contractor who complies with a public records request within 8 business days after the notice is sent is not liable for the reasonable costs of enforcement.

On Tue, Jan 29, 2019, 10:40 AM PublicRecordsRequests <PublicRecordsRequests@flsenate.gov> wrote:

[Quoted text hidden]

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX





Jason Jensen &lt;jasonajensen@gmail.com&gt;

## PUBLIC RECORDS REQUEST AND NOTICE OF DEFAULT

5 messages

Jason Jensen &lt;jasonajensen@gmail.com&gt;

Tue, Jan 15, 2019 at 2:23 PM

To: desantis.opengov@eog.myflorida.com, "Samuel I. Zeskind" <SZeskind@wsh-law.com>, Eric McDonough <phd2b05@gmail.com>

Dear Ron Desantis, Governor of Florida, Open Government Department,

On January 4, 2011 Governor Rick Scott issued Executive Order 11-03 reestablishing the Office of Open Government.

The order states, in part:

"The Office (of Open Government) will (1) facilitate Floridians' right to know and have access to information with which they can hold government accountable, (2) establish and maintain a website providing ready access to accountability information, (3) continue to assure full and expeditious compliance with Florida's open government public records laws, and (4) provide training to all executive agencies under my purview on transparency and accountability. The Office will also have primary responsibility for ensuring that the Office of the Governor complies with public records requests in an expeditious manner."

I am requesting from you all RECORDS from the State of Florida AND ITS POLITICAL SUBDIVISIONS - including, state, county, city, school, and/or any other type of publicly funded or chartered entity - for any and all Bills charged to it from the law firm commonly referred to as WSH but legally known as Weiss Serota Helfman Cole & Bierman, P.L.

A bit of background, WSH makes it a habit of offering their services to aid in the political subdivisions of Florida to obfuscate, obstruct, and otherwise not comply with FSS 119 and the Florida Constitution.

I have repeatedly requested this information from Samuel Zeskind of WSH but they are hiding behind a contractor provision of the FSS 119 chapter. WSH has proposed the theory that I must send a records request to every agency in Florida to get this information, I now present another theory. However, since the State maintains legal authority of all it's political subdivisions - I am requesting the same information from the State of Florida.

I am hereby ORDERING the State of Florida to pass this request - EXACTLY AS IT IS PRESENTED - to its proxy power contracted entity.

Failure to comply will result in legal action. I want these records - and I want them NOW. I am done playing with WSH or its high priced lawyers.

The Office of Florida Governor does have a constitutional mandate to assist and enforce its provisions here.

Please provide all records in ELECTRONIC FORM.

Jason A Jensen  
417-239-9460  
jasonajensen@gmail.com

Jason Jensen &lt;jasonajensen@gmail.com&gt;

Tue, Jan 29, 2019 at 10:02 AM

To: desantis.opengov@eog.myflorida.com, "Samuel I. Zeskind" <szeskind@wsh-law.com>, Eric McDonough <phd2b05@gmail.com>

The Governor's office has failed to accomplish receipt of my records request.

In fact, you haven't responded at all.

[Quoted text hidden]

Boney, Olivia &lt;Olivia.Boney@eog.myflorida.com&gt;

Wed, Jan 30, 2019 at 9:37 AM

From: Jason Jensen <jasonajensen@gmail.com>

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Good Morning Mr. Jensen,

The Governor's Office of Open Government is in receipt of your request for records as stated in your email below. A search for responsive records will be initiated and someone from this office will be back in touch with you soon. If the search produces a volume of records which indicates that there will be a fee associated with your request, you will be provided with a fee estimate for your review. Thank you for contacting the Executive Office of the Governor.

Sincerely,

**Olivia Boney**

Office of Open Government

Executive Office of Governor Ron DeSantis

The Capitol, Suite 209

Tallahassee, FL 32399

(850) 717-9248

*Please note that Florida has a broad public records law, and that all correspondence to me via email may be subject to disclosure. Under Florida law email addresses are public records.*

[Quoted text hidden]

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

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**Jason Jensen** <jasonajensen@gmail.com>

Wed, Jan 30, 2019 at 11:04 AM

To: "Boney, Olivia" <Olivia.Boney@eog.myflorida.com>, "Samuel I. Zeskind" <szeskind@wsh-law.com>, "Matthew H. Mandel" <MMandel@wsh-law.com>, Eric McDonough <phd2b05@gmail.com>

The Governor's office will not have any records, please forward the request to the state contractor and law firm for many public entities, WSH Law Firm.

This will not be a exhaustive search as WSH need only run a simple financial report and then redact sections of it for their private customers and affairs.

All you need to do is request all the public billing aggregate Data for all Florida Entities WSH acts on behalf of. They will then need to compliment the records you have for you to send to me.

This is all very clearly established in Florida law section 119.

I have attached officials of WSH on this email making your request implicit to them by me.

Unless of course you two are colluding to deny access to these records. That's the only reason you won't request these records from them.

How else do I get aggregate records from a public service contractor who serves many entities? WSH has all the records I demand in their possession but will not provide them as they require a public entity request it but then there is no way of knowing who all their clients are.

Anyways, the Florida Constitution absolutely gives me the right to these records and without all this extra labor on my part. I should be able to get it from WSH just my executing the self executing provisions of the Florida Constitution.

But to perfect my upcoming legal challenge to this obstruction, I have requested the records of institutions which are State supervisory. All you have to do is forward the request and then WSH must comply.

I have added you to the list with the Governor, the Senate, the Department of State, and my 10th district senator himself.

One of you will provide the records or all of you will receive a judicial summons.

My legal theory will be to sue you under the Constitution and common law and move to declare any section of 119 in my way as unconstitutional.

Oh Zeskind will want this so he can claim my use of my constitutional right is "frivolous" I seek to request records from any Florida State entity until they provide records in what I feel is a fair, optimized, efficient, and friendly service. Any Florida institution that violates my wishes, I seek to abuse my right to request records until their attitude changes to one of public service.

I reserve the right to request records I don't even want, automate systems to request records daily, and do anything else I feel is necessary to lodge complaint with my government in assembly and redress of grievances.

Anything this State enacts that violates my right to my first amendment to do the foregoing will get a Federal constitutional challenge.

This frivolous purpose argument has no standing while the state institutions charge for the access- which by the way, no charges were ever authorized by the Florida Constitution. And since I already have ample proof billing is being used to obstruct access, the billing portions of 119 are unconstitutional.

My argument here will be any billing is unconstitutional but even if billing must be allowed, the the state must standardize the fees.

All this because WSH doesn't want anyone knowing they are collecting like \$160 million per year from public Entities?

Challenge accepted.

[Quoted text hidden]

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**Jason Jensen** <jasonajensen@gmail.com>

Fri, Feb 8, 2019 at 9:02 PM

To: "Boney, Olivia" <Olivia.Boney@eog.myflorida.com>, "Samuel I. Zeskind" <szeskind@wsh-law.com>, "Matthew H. Mandel" <MMandel@wsh-law.com>, Eric McDonough <phd2b05@gmail.com>

I haven't heard anything about this in a few weeks.

What is the status of my request that your forward my records request to the state contractor WSH?

Do you need their address? They are included in this email chain. It seems quite apparent you are refusing my access to these records.

Here is the law that gives me the right to access these records that WSH is refusing:

**119.0701 Contracts; public records; request for contractor records; civil action.—**

(1) DEFINITIONS.—For purposes of this section, the term:

(a) "Contractor" means an individual, partnership, corporation, or business entity that enters into a contract for services with a public agency and is acting on behalf of the public agency as provided under s. 119.011(2).

(b) "Public agency" means a state, county, district, authority, or municipal officer, or department, division, board, bureau, commission, or other separate unit of government created or established by law.

(2) CONTRACT REQUIREMENTS.—In addition to other contract requirements provided by law, each public agency contract for services entered into or amended on or after July 1, 2016, must include:

(a) The following statement, in substantially the following form, identifying the contact information of the public agency's custodian of public records in at least 14-point boldfaced type:

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IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT (telephone number, e-mail address, and mailing address) .

(b) A provision that requires the contractor to comply with public records laws, specifically to:

1. Keep and maintain public records required by the public agency to perform the service.
2. Upon request from the public agency's custodian of public records, provide the public agency with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.
3. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the contractor does not transfer the records to the public agency.
4. Upon completion of the contract, transfer, at no cost, to the public agency all public records in possession of the contractor or keep and maintain public records required by the public agency to perform the service. If the contractor transfers all public records to the public agency upon completion of the contract, the contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the contractor keeps and maintains public records upon completion of the contract, the contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the public agency, upon request from the public agency's custodian of public records, in a format that is compatible with the information technology systems of the public agency.

(3) REQUEST FOR RECORDS; NONCOMPLIANCE.—

(a) A request to inspect or copy public records relating to a public agency's contract for services must be made directly to the public agency. If the public agency does not possess the requested records, the public agency shall immediately notify the contractor of the request, and the contractor must provide the records to the public agency or allow the records to be inspected or copied within a reasonable time.

(b) If a contractor does not comply with the public agency's request for records, the public agency shall enforce the contract provisions in accordance with the contract.

(c) A contractor who fails to provide the public records to the public agency within a reasonable time may be subject to penalties under s. 119.10.

(4) CIVIL ACTION.—

(a) If a civil action is filed against a contractor to compel production of public records relating to a public agency's contract for services, the court shall assess and award against the contractor the reasonable costs of enforcement, including reasonable attorney fees, if:

1. The court determines that the contractor unlawfully refused to comply with the public records request within a reasonable time; and
2. At least 8 business days before filing the action, the plaintiff provided written notice of the public records request, including a statement that the contractor has not complied with the request, to the public agency and to the contractor.

(b) A notice complies with subparagraph (a)2. if it is sent to the public agency's custodian of public records and to the contractor at the contractor's address listed on its contract with the public agency or to the contractor's registered agent. Such notices must be sent by common carrier delivery service or by registered, Global Express Guaranteed, or certified mail, with postage or shipping paid by the sender and with evidence of delivery, which may be in an electronic format.

(c) A contractor who complies with a public records request within 8 business days after the notice is sent is not liable for the reasonable costs of enforcement.

[Quoted text hidden]

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Jason Jensen &lt;jasonajensen@gmail.com&gt;

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## Records requests

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**Samuel I. Zeskind** <SZeskind@wsh-law.com>  
To: Jason Jensen <jasonajensen@gmail.com>

Fri, Apr 6, 2018 at 4:47 PM

Good afternoon Mr. Jensen,

We disagree with your characterization of the motion to dismiss. Nevertheless, to the extent you are seeking to request public records, such request(s) should be made directly to the records custodian for each agency.

[Quoted text hidden]

**Samuel I. Zeskind**

Partner



200 East Broward Blvd., Suite 1900 | Fort Lauderdale, FL 33301  
P: (954) 763-4242 F: (954) 764-7770 wsh-law.com | vCard



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